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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Education (Grant-maintained Special Schools) Regulations 1994 (“the 1994 Regulations”).

The Regulations amend regulation 2 of the 1994 Regulations (which includes interpretation provisions and provisions with respect to the general modification of enactments).

The Regulations amend Part 2 of the 1994 Regulations (which relates to the procedure for becoming a grant-maintained special school). Regulation 6 is amended so that section 34(1) of the Education Act 1993 no longer applies to proposals for a school to become a grant-maintained special school. A new regulation 8A is inserted for the purpose of applying section 37(2) to (5) of the 1993 Act to such proposals. Also amended is regulation 11(1) (which makes provision as to the effect of the pending procedure for proposals for becoming a grant-maintained special school on property disposals etc.).

The Regulations amend regulation 13(2) of the 1994 Regulations (which makes provision as to the information to be given in a notice under section 183(3)(a) and (6) of the 1993 Act). Amendments are also made to Part 5 of the 1994 Regulations (which relates to the government and conduct of grant-maintained special schools). A new regulation 15A is inserted for the purpose of applying certain provisions of schedule 7 to the 1993 Act, which deal with initial governors, to the procedure for becoming a grant-maintained special school. Also amended are regulation 18 (which is concerned with the determination and replacement of initial governors) and regulation 19 (which applies sections 79 and 80 of the 1993 Act to grant-maintained special schools).

The Regulations insert new regulation 22A in the 1994 Regulations. This applies section 267 of the 1993 Act (which enables the Secretary of State to make regulations imposing a duty to advertise for lay members for appeal committees) to the governing bodies of grant-maintained special schools.

The Regulations substitute a new regulation 23 of the 1994 Regulations (which applies the provisions of Chapter VI of Part II of the 1993 Act to grant-maintained special schools and their governing bodies). They also make amendments to Part II of the Schedule to the 1994 Regulations.